

MINUTES
LEXINGTON COUNTY COUNCIL
FEBRUARY 28, 2006

Lexington County Council held its regular meeting on Tuesday, February 28, 2006 in Council Chambers, beginning at 4:30 p.m. Mr. Cullum presided; Mr. Kinard gave the invocation; Mr. Owens led the Pledge of Allegiance.

Members attending:	M. Todd Cullum	James E. Kinard, Jr.
	William C. Billy Derrick	George H. Smokey Davis
	Debra B. Summers	Bobby C. Keisler
	Johnny W. Jeffcoat	Joseph W. Owens

Absent: John W. Carrigg, Jr.*

*Mr. Carrigg was absent due to business.

Also attending: Art Brooks, County Administrator; Larry Porth; Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy County Administrator; John Fechtel, Director of Public Works/Deputy County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Recognition of Guests - Mr. Cullum recognized a group of students from Lexington High School attending as part of their government class.

Employee Recognition - Art Brooks, County Administrator - Linda Matthews, Delinquent Tax Clerk/Cashier, Treasurer's Office, received recognition for going above and beyond to provide information. A citizen had been on the phone trying to get answers and was to the point of desperation until getting assistance from Linda. The citizen wanted Linda to know how much he appreciated her help and what a great asset she is to the County.

Susan Cockrell, Delinquent Tax Clerk/Cashier, Treasurer's Office, was recognized for being courteous, helpful, friendly, patient and knowledgeable. The realtor wrote that so often we only hear negative statements and complaints and she wanted to express some positive feedback about the County employees.

Detective Michelle Horton, Law Enforcement, graduated from Midlands Technical College with honors. Michele earned her Associate in Public Service Degree (Criminal Justice) with a cumulative GPA of 4.0.

Joe Mergo, Director, Solid Waste Management, received a letter from a citizen who accidentally threw his keys in with the trash. The citizen thanked the staff for their prompt assistance in retrieving his keys, apologized for the extra work caused by his mistake, and wrote that he was very grateful for the way his small crisis was handled.

Presentation of the Wireless Phase II Reimbursement Check to Nikki Rodgers, Communications Coordinator - Presented by Mr. Bobby Bowers, Director, Office of Research and Statistics, SC Budget and Control Board - Mr. Bowers, in addition to his duties as Director of the Office of Research and Statistics, stated that he is also charged with 9-1-1 responsibilities - mapping, training and distribution of funds. He indicated the goal was to have the entire state in wireless communication and wireless automatic identification which is referred to as Phase II. Without Phase II a call goes to the nearest tower which may be five miles away and if that tower is busy, it bumps to the next tower. Mr. Bowers stated that since 2001 South Carolina has been at the forefront of implementing the wireless automatic location identification. Lexington County moved ahead with speed and cost effectiveness and the check is reimbursement for Phase II. Mr. Bowers stated that the process to implement the system is very complicated and commended Mr. Neil Ellis and Ms. Nikki Rodgers for their efforts in submitting all the information required by his office to comply with Phase II requirements. He stated that more wireless calls were made to 9-1-1 than wire line calls. Mr. Bowers introduced Senator Knotts who assisted in presenting a check in the amount of \$305,867 to Chairman Cullum and Ms. Rodgers.

Senator Knotts, on behalf of the Delegation, stated that he was glad the money was being reimbursed to the County and acknowledged the hard work the County has done, especially the leadership of Sheriff Metts since the 9-1-1 system has been under his control; the system was undoubtedly the best in the state and he was proud there is leadership on Council that can recognize that and move forward to receiving additional funds.

Mr. Cullum expressed Council's appreciation to Sheriff Metts, Chief Rucker and the Communications staff and stated that the 9-1-1 program was a good program and this was an indication of what could happen when you have good people. He also thanked Senator Knotts for his support.

Overview of the Rechargeable Battery and Cell Phone Recycling Program and the Presentation of the Rechargeable Battery Recycling Corporation's Southeastern Region 2005 Recycling Leadership Award Presented to Joe Mergo, Director of Solid Waste Management and Ms. Donna Hendrix, Recycling Coordinator - Ms. Linda Gabor and Ms. Teresa Hall rather than Ms. Prince made the presentation.

Ms. Teresa Hall, Manager of Communications, Rechargeable Battery Recycling Corporation (RBRC), stated that the corporation was founded in 1994 as the leader in the environmental safe collection/transportation of rechargeable batteries and cell phones. Batteries are found in portable electronic products such as power tools, laptop computers, cell phones, cordless phones, camcorders, two-way radios, and digital cameras. She stated that those batteries can be recycled and RBRC

provides that solution. RBRC is a non-profit organization and administers the comprehensive collection through retail stores, approximately 30,000 retail partners, they also work with public agencies such as fire and police departments, communities such as Lexington County and businesses that use a lot of batteries in their work. The program is funded by the rechargeable battery manufacturers which place a battery recycling seal on their products to let the consumers know that the batteries can be recycled (800 number on the battery). RBRC administers the program for the collection and recycling and conducts a public education program. Ms. Hall stated that they have print ads in magazines such as National Geographic as well as television and radio commercials. RBRC has an 800 number and a website where an individual can type in their zip code and a location in the area will be provided. She stated that working with partners, communities, retails and businesses, they are conserving natural resources and diverting the rechargeable batteries and cell phones from entering the solid waste stream.

Ms. Hall stated that the RBRC community recycling leadership award was established five years ago as a way to recognize RBRC participants such as individuals, businesses and communities for their outstanding efforts in rechargeable battery and cell phone recycling. Based on the criteria of number of pounds collected; public education outreach efforts; the level of impact on their community; and an overall commitment to the environment, nominees are submitted and selected by a group in the organization. Lexington County Solid Waste Management has been an RBRC program participant since 2003. She stated that by running a full time collection program of rechargeable batteries and cell phones at 12 collection stations strategically placed throughout the County they have exhibited an outstanding commitment to the community and to the environment. By accepting these items full time it makes it very convenient for citizens to recycle. From website contact to community brochures to grassroots community outreach, Lexington County Solid Waste Management has gone above and beyond to encourage residents to recycle their used rechargeable batteries and cell phones. Ms. Hall stated in 2005, Lexington County SWM successfully collected over 2,700 pounds of rechargeable batteries and cell phones throughout their 12 collection stations. These reasons and many more are why they were present to present them (Lexington County SWM) with the 2005 RBRC Regional Community Recycling Leadership Award.

Ms. Hall and Ms. Gabor presented the award to Chairman Cullum, Joe Mergo and Donna Hendrix.

Resolution - Lexington County Joint Municipal Water and Sewer Commission -A motion was made by Mr. Jeffcoat and seconded by Mr. Owens to approve the resolution replacing Mr. Jeffcoat with Mr. Bobby Keisler on the Joint Municipal Water and Sewer Commission.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Owens	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	

Abstaining: Mr. Keisler

Appointments - No appointments/reappointments were made.

Bids/Purchases/RFPs - A motion was made by Mr. Owens and seconded by Mr. Jeffcoat that Tabs H, I, J, K, L, M and N be approved.

Laptop Computers and Accessories - Clerk of Court - The Clerk of Court's office submitted a requisition for the purchase of four (4) Hewlett Packard laptop computers and accessories. The purchase will be made directly from Hewlett Packard through State Contract #05-S6656-A11230. The equipment will be used by Family Court staff to complete tasks while working in the courtrooms. Total cost including sales tax is \$7,161.36.

Request for Approval to Utilize Request for Proposals Process - Automated Time and Attendance System - Public Safety/EMS - Information Services - Staff requested the approval to use the Request for Proposals process (RFP) to select the services of a qualified consultant/contractor to provide the County with an Automated Time and Attendance System for Public Safety/EMS. The RFP would be for a multi-year contract period in which the County could choose to roll out additional deployments of the system on a phased-in-basis. The system could be implemented countywide for the County's 1,300 employees. Due to the scope of the project, it is not practical or advantageous to write a comprehensive set of specifications that may limit resources or restrict competition. In selecting a consultant/contractor, other award criteria in addition to cost will be considered. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

Retrofit of Electronic Foam Injection System on Two (2) Side Mount Pumpers - Public Safety/Fire Service - Bids were advertised and solicited for two (2) retrofit of electronic foam injection systems on two (2) side mount pumpers for Public Safety/Fire Service. Class A foam mixed in standard concentration with water is three times as effective as water alone used to extinguish fire and is quickly becoming standard equipment for most attack pumpers. The Class "A" foam greatly reduces time on fire calls and decreases the possibility of a re-flash fire.

One (1) bid and one (1) no bid were received. Staff recommended awarding the bid to Slagle's Fire Equipment & Supply Company as being the lowest responsible bidder. The total cost including sales tax is \$17,743.34.

Installation of Monochrome Cameras for Water Treatment Plants located at West Columbia, Cayce, and Batesburg - Public Safety/Homeland Security - Bids were solicited for the installation of monochrome cameras for water treatment plants located in West Columbia, Cayce, and Batesburg for Public Safety/Homeland Security. The cameras will provide increased security by allowing security personnel to better monitor the facilities and prevent intrusion at water treatment facilities throughout Lexington County. One (1) camera will be installed at each of the facilities in Cayce and Batesburg and two (2) cameras will be installed at the West Columbia facility. Funding is provided through the State Homeland Security Grant fund and will require no matching funds. The grant procedures have been approved by the South Carolina Law Enforcement Division.

Three (3) bids and two (2) no bids were received. Staff recommended that the bid be awarded to Browder Electronics Company as the low bidder meeting specifications. Total cost including installation and sales tax is \$35,795.91.

Motorola Radios and Pagers - Public Safety/Homeland Security - Staff recommended the purchase of four (4) Motorola radios and twenty (20) Motorola pagers for Public Safety/Homeland Security from the manufacturer, Motorola, through State Contract Number OIR2002.07.

The radios will be distributed between the Pelion and Swansea Police Departments and the Irmo Fire Department. The pagers will be distributed to the members of the Lexington County COBRA and Joint Emergency Team (JET) to alert them of possible acts of terrorism. Funding is provided through the State Homeland Security Grant fund and will require no matching funds. The grant procedures have been approved the South Carolina Law Enforcement Division. The cost of the radios is \$10,561.78 and the cost of the pagers is \$9,913.20 for a total cost of \$20,474.98 including tax.

Fleet Vehicle Replacement - Public Works - Staff recommended the purchase of one (1) new 2006 Ford 10,800 LB GVWR crew cab pickup truck for Public Works. The vehicle will be purchased from Pulliam Motor Company through State Contract Number 04-S6157-A10132. The new 2006 Ford will replace a wrecked 1998 Chevrolet crew cab. An insurance reimbursement of \$7,640.00 is anticipated. The cost of the new truck including tax is \$28,264.00.

Talon II Hand Held Radar Units - Sheriff's Department - Bids were advertised and solicited for thirteen (13) Talon II hand-held radar units for the Sheriff's Department. The radar units will be used for traffic enforcement purposes. Funding is provided under the Law Enforcement Network (LEN) and Sober or Slammer (SOS) grant and will require no matching funds. The grant procedures have been approved by the South Carolina Department of Public Safety. Three (3) bids were received. Staff recommended that the award be made to Applied Concepts, Inc. as being the lowest responsible bidder. Total cost of the units including tax is \$12,360.66.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Jeffcoat	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Keisler

Chairman's Report - Mr. Cullum reported that he attended the Time Warner facility dedication on Monday, February 27. The facility will serve as the company's state headquarters and will employ 900.

Administrator's Report - No report.

Committee Reports - Planning & Administration, J. Owens, Chairman - Intergovernmental

Agreement - Planning and GIS - Mr. Owens reported that the Planning and Administration Committee convened on Tuesday, February 14, 2006 to discuss an Intergovernmental Agreement that Central Midlands Council of Governments is asking Lexington County to approve.

Mr. Charlie Compton, Director of Planning and GIS, stated the Department of Commerce has agreed to work with Central Midlands Council of Governments to develop and update their statewide water and sewer database. The Department of Commerce is providing Community Development Block Grant (CDBG) funds to Central Midlands Council of Governments for this project. However, since the project will cover all four counties; Fairfield, Newberry, Richland, and Lexington counties, the Department of Commerce requires that an Intergovernmental Agreement be executed between all counties in the region agreeing on a single applicant for the project funds. The single applicant for the project will be Newberry County. There are no matching funds required by Lexington County.

Mr. Compton recommended, even though the County does not have a utility system, that Lexington County be involved in the budgeting and implementation of the database project since the Planning and GIS Department has a very intense effort at mapping utilities already underway in Lexington County. He said a lot of work on digital standards has already been completed and the two projects need to complement each other.

The Committee voted to recommend that full Council approve execution of the Intergovernmental Agreement and that the Planning and GIS Department be involved in working with the technical aspects of the project with Central Midlands Council of Governments.

A motion was made by Mr. Owens and seconded by Mr. Keisler that the Committee Report be adopted.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Keisler	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Jeffcoat

2006 Community Development Block Grant (CDBG) Program - Community Development -

Mr. Owens reported that the Planning and Administration Committee met on Tuesday, February 14, 2006 to review and discuss the proposed eligible projects for Community Development Block Grant funding that were recommended by the Planning Commission as submitted by Mr. George Bistany, Community Development Administrator.

Mr. Bistany stated there is approximately \$829,308 available for the 06-07 Fiscal Year to award to projects. Eighteen requests for funding were received, but only fourteen appeared to be eligible for consideration. The fourteen requests totaled \$1,502,553. The Planning Commission met on January 19 and the requests were evaluated and ranked (1 through 14).

Mr. Bistany said in addition to the proposed projects, he was notified Monday, February 13, by Mr. John Derrick, the architect for the new fire station at Fish Hatchery Road/Hwy. 6 and the South Region Service Center at the Lexington County Airport at Pelion , that there will be additional costs involved for sprinkler systems for each project. The estimated cost to install a sprinkler system in the new fire station is \$25,000 and the estimated cost for the South Region Service Center is \$49,000.

After the initial presentation by Mr. Bistany, Mr. Ronald Scott, Director of Community Development, stated \$272,000 was requested for Project # 7, Bellemeade Neighborhood Sewer, however there is a \$90,000 difference between the amount that was requested and the amount that is available (\$188,896) and that is not taking into account the amount that was requested to equip the buildings (sprinklers for the fire station and the South Region Service Center). Mr. Scott requested \$90,000 to cover the additional estimated costs for the sprinkler systems.

The Committee voted to recommend that full Council approve the following projects as recommended by the Planning Commission in order that they were ranked: (1) Lexington County Sheriff's Department (Code Enforcement) - \$191,047, (2) Lexington County - CDBG Division (Demolition/Clearance program) - \$50,000, (3) Sistercare, Inc. (Homeless Shelter) - \$12,000, (4) Lexington County CDBG Staff (minor housing repair program) - \$100,000, (5) Lexington Joint Municipal Water and Sewer Commission (water main from Rambling Road to Edmund Hwy.) - \$200,000, and (6) City of West Columbia (infrastructure) - \$87,275, and \$90,000 for the fire station at Fish Hatchery Road/Hwy. 6 and South Region Service Center sprinkler systems. It was recommended that the Bellemeade Neighborhood Sewer project be first for FY07-08.

A motion was made by Mr. Owens and seconded by Mr. Keisler that the Committee Report be adopted.

Mr. Cullum opened the meeting for discussion.

Mr. Derrick stated in the National Association of Counties newsletter it reported that CDBG funding will be cut 20 percent in FY 2006/07.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Keisler	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Jeffcoat

Public Works, B. Derrick, Chairman - SCDOT Right-of-Way Request - Piney Grove Road - Public Works - Mr. Derrick reported at its meeting on Tuesday, February 14, 2006 the Public Works Committee discussed a request from SCDOT.

Mr. John Fechtel, Director of Public Works, stated SCDOT is requesting that 2.77 acres of right-of-way be donated for the improvements on Piney Grove Road. Improvements to be made are turning

lanes and the relocation of Kinley Creek. Mr. Fechtel said staff will be requesting that the County have the option to acquire some or all of the donated 2.77 acres of right-of-way upon the completion of the project.

The Committee voted to recommend that full Council approve the donation of 2.77 acres of right-of-way.

A motion was made by Mr. Derrick and seconded by Mr. Owens that the Committee Report be adopted.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Owens	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat

Economic Development, J. Jeffcoat, Chairman - Project Elizabeth - Adoption of Resolution - Economic Development - Mr. Jeffcoat made a motion, seconded by Mr. Derrick to approve the adoption of the Inducement Resolution between Project Elizabeth and Lexington County.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Derrick	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Owens

Budget Amendment Resolutions - The following BAR's were distributed and signed.

An appropriation transfer of \$19,771 to transfer remaining funds after four fire service positions were reclassified.

An appropriation transfer of \$8,500 of Accommodations Tax funds previously set aside during the May 24, 2005 budget process for SC Beach Improvement be reallocated equally among the five chambers of commerce.

Supplemental appropriation increase in the amount of \$10,000 received from SCDOT for right-of-way on Old Dunbar Road. Funds will be received by the County and passed through to Carolina Culinary Foods.

Councilman John Carrigg - Mr. Cullum announced that Councilman Carrigg was unable to attend the meeting because of a business commitment.

Executive Session/Legal Briefing - Mr. Cullum stated that Council had three contractual matters and one personnel matter to be discussed in executive session.

A motion was made by Mr. Owens and seconded by Mr. Kinard to go into executive session to discuss contractual and personnel matters.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Kinard	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat

Clif LeBlanc, reporter, *The State* Newspaper - Mr. Clif LeBlanc, reporter for *The State* newspaper, asked that he be put on record that the “State newspaper renews its objection to an executive session to discuss personnel and contractual matters as not being consistent with the State FOI law.”

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Chairman Cullum said as a result of Executive Session, there were no motions to be considered.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

M. Todd Cullum
Chairman